

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

The Honorable Rick Perry,

Plaintiff,

v.

Civil Action No. 3:11-CV-856-JAG

**Charles Judd,
In His Official Capacity as a Member
of the Virginia State Board of Elections, *et al.*,**

Defendants.

**REPUBLICAN PARTY OF VIRGINIA CHAIRMAN'S
NOTICE REGARDING WITNESSES TO BE
CALLED AT THE JANUARY 13 HEARING**

Defendant Patrick Mullins, Chairman of the Republican Party of Virginia, hereby gives notice that he does not intend to present any live witnesses at the preliminary injunction hearing scheduled for January 13, 2012, in light of the allegations and causes of action asserted by the Plaintiff's Complaint and Emergency Motion, and based upon the Chairman's position the he and the Republican Party of Virginia are neither necessary nor proper parties to this lawsuit. However, the Chairman reserves the right to seek leave of Court to present live witnesses and/or documents (including election materials) in the event that, after this date, the Plaintiff or an Intervenor candidate raises new factual allegations or legal claims that are not presented in the Plaintiff's Complaint. Because the Chairman and his counsel cannot anticipate any unasserted factual allegations or causes of action, it is not possible to identify witnesses who might be necessary to address such unknown facts or legal theories at this time.

Respectfully submitted this 3rd day of January, 2012.

/s/

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of January, 2012, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to counsel named below:

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/s/

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